

STATE OF MAINE

Before the Grievance Commission:

Grievance Commission  
File No. 89-S-201 191

BOARD OF OVERSEERS OF THE BAR, )  
 )  
Petitioner )  
 )  
v. )  
 )  
RICHARD D. VIOLETTE, JR., )  
 )  
Respondent )

REPORT OF FINDINGS AND  
CONCLUSIONS OF PANEL C  
OF THE GRIEVANCE  
COMMISSION

On December 12, 1991, pursuant to due notice, and upon Respondent's written election under Maine Bar Rule 7(p)(1)(ii), Panel C of the Grievance Commission conducted a disciplinary hearing open to the public according to Maine Bar Rule 7(e)(2), to determine whether grounds existed for the issuance of a reprimand or for the filing of an information before the Court with respect to alleged professional misconduct of Respondent Richard D. Violette, Jr., as described in the petition dated October 29, 1991, filed by Bar Counsel of the Board of Overseers of the Bar.

The Board was represented by J. Scott Davis, Bar Counsel, and Respondent Richard D. Violette, Jr. appeared pro se. An answer had been duly filed by Respondent. The complainant of interest was given notice by Bar Counsel of the hearing and counsels' stipulation below. No testimonial witnesses were presented. The parties - as primarily set forth in the pleadings - have stipulated as to the following facts, and the panel so finds:

## FINDINGS OF FACT

Richard D. Violette, Jr., was at all times relevant hereto, an attorney duly admitted to and engaging in the practice of law in the State of Maine, and subject to the Maine Bar Rules.

1. Sometime in 1983, Violette became acquainted on a personal and social basis with a neighborhood family, including their twin sons, who were about 13 years old at the time.

2. From 1983 to 1986 Violette maintained a very close and friendly relationship with the family.

3. Violette often dined at their home, visited them at their camp, and shared other family activities.

4. During this period of time, Violette purchased a home which needed various repairs, and he employed the sons as well as other neighborhood boys in doing some of these repairs and some construction.

5. As time went on, Violette and one of the minor sons developed a very close friendship, and engaged in such activities as running, playing tennis, canoeing and so forth.

6. In February of 1986 Violette took that minor (age 17) with him on a trip to Florida where they stayed with Violette's uncle for about one week.

7. At some point also in the summer of 1986, Violette and the minor attended the Volvo Tennis Tournament in Stratton, Vermont.

8. At some point between August of 1986 and February of 1987 Violette furnished the minor with alcoholic beverages both while on trips and in Violette's own home.

9. In February of 1987 Violette and the minor took another trip to Florida, and this time they stayed in a Dodge Caravan or recreational vehicle somewhere in the area of Kissime, Florida.

10. During this Florida trip Violette and the minor together both indulged in the consumption of alcoholic beverages furnished by Violette to the point where they became intoxicated.

11. Upon returning to Maine and thereafter until April of 1988 when the minor was a freshman at the University of Maine at Orono, Violette and the minor continued to consume alcoholic beverages together.

12. In April of 1988, the relationship ended.

13. Violette's furnishing the minor with alcoholic beverages for consumption constituted illegal conduct.

14. On May 7, 1991 a panel of the Grievance Commission reviewed Violette's conduct as described above and as a result of that review, the panel authorized a confidential disciplinary hearing for the purpose of determining the facts in this matter.

15. As indicated above, Violette subsequently elected by written notification to Bar Counsel that the hearing be open to the public.

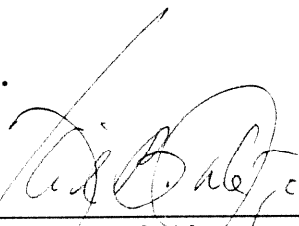
16. At hearing, Violette acknowledged that his furnishing and assisting the minor in the repeated consumption of intoxicating liquor, at times to the point of intoxication, constituted conduct in violation of the Maine Bar Rules and that a public reprimand is an appropriate sanction.

#### CONCLUSION

This panel concludes, and Respondent admits that he did engage in illegal conduct in violation of Maine Bar Rule 3.2(f)(2).


The panel concludes that the appropriate disposition of this complaint is that Richard D. Violette, Jr., be, and he hereby is reprimanded for violating Maine Bar Rule 3.2(f)(2) as established in the Findings of Fact discussed in this Report.

Dated this 12th day of December, 1991.



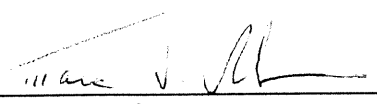
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Panel C of the  
Grievance Commission  
David B. Soule, Jr., Esq., Chair



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Jon S. Oxman, Esq.



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Marc V. Schnur